

REMARKS

Status of Claims

By way of the instant amendment, claims 5-7, 17-18, 28 and 34 have been cancelled. Thus, claims 1-4, 8-16, 19-27, 29-33 and 35 remain for examination.

Rejections under § 112

Claims 18, 19 and 35 stand rejected under 35 U.S.C. § 112, second paragraph. The examiner objects to the phrase “such as” which appears in these claims. By way of the instant amendment, the objected to phrase has been deleted. It is submitted that all of applicant’s claims are in full compliance with the provisions of 35 U.S.C. § 112.

Allowable Subject Matter

The examiner has indicated that claims 7, 18, 28 and 34 contain allowable subject matter and would be held allowable if placed in independent form. By way of the instant amendment, the limitations of claims 5, 6 and 7 have been incorporated into claim 1 with several minor changes. In particular, applicant has deleted the word “necessary” which appeared in line 4 of original claim 6 and has rephrased the term “control information communication” which appeared in lines 3-4 of previously amended claim 7 to read “communication of control information.” These changes are deemed to be minor and serve to improve the readability of the claims. Further, the last word of claim, namely, “impossible” has been replaced by “abnormal or impossible.”

Amendments have been made to claims dependent on claim 1 to make these claims consistent with the recitations of claim 1. Claim 8 has further been amended to correct minor errors noted therein inasmuch as the term “line” had no clear antecedent basis since claim 1 refers to a first and a second line. Claim 8 has been amended accordingly.

The limitations of claims 17 and 18 have been incorporated into independent claim 13 and claims 17 and 18 have been cancelled. The limitations of claim 28 have been incorporated into independent claim 24 and claim 28 has been cancelled. Finally, the limitations of claim 34 have been incorporated into claim 30 and claim 34 has been cancelled. Minor amendments have been made to some of the remaining claims for consistency.

In view of the amendments made hereto and in view of the allowable subject matter indicated in paragraph 6 of the outstanding Office Action, it is submitted that the application is now in condition for allowance and an early indication of same is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 6-21-04

FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: (202) 672-5407

Facsimile: (202) 672-5399

By David A. Blumenthal

David A. Blumenthal
Attorney for Applicant
Registration No. 26,257